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Response under 37 C.F.R. 1.116
- Expedited Examining Procedure -
Examining Group 1752

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Steven H. Kong, et al

THERMALLY DEVELOPABLE IMAGING MATERIALS HAVING BACKSIDE STABILIZERS

Serial No. 10/685,858

Filed 15 October 2003

Group Art Unit: 1752

Examiner: CHEA, Thorl

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sherryl A. Payne

November 1, 2005
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. 1.116

In response to the Office Action dated September 13, 2005, Applicants respectfully request reconsideration of the "final" rejection of all claims for the reasons presented below. The Examiner is also asked to consider the enclosed second **Rule 132 Declaration** signed by co-Applicant Steven Kong providing additional evidence of unexpected results over the teaching in the cited art.

No amendments are presented with this response.

Applicants are appreciative that the rejections presented in paragraphs 10 and 14 of the previous Office Action have been withdrawn.

Rejection Under 35 U.S.C. §103

Claims 1-23 and 28 have been finally rejected as unpatentable over EP 1,186,950 (EP '950) in view of U.S. Patent 4,212,937 (Akashi et al.) and EP 1,096,310 (EP '310). This rejection is respectfully traversed.